THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 20710 OF 1997

Date: 27.02.2007

Mulakaluri Sitaramanjaneyulu.

... Petitioner

and

The Secretary, Hindu College and High School Council Hindu College & High School Campus Guntur, Guntur District and two others.

... Respondents.

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 20710 OF 1997

ORDER:

Heard Sri Siva Prasad, learned Counsel for the petitioner and Sri A. Venkataramana, learned Counsel appearing on behalf of Sri D.V. Seetharamamurthy, learned Counsel for the respondent.

The relief sought for in this writ petition is to declare the action of respondents 1 and 2 in not extending the salaries of Grant-in-Aid to the petitioner as illegal, arbitrary and contrary to the rules and regulations and to consequently direct the respondents to pay regular pay scales under Grant-in-Aid scheme with all consequential benefits including regularization of service and back wages.

Sri S. Siva Prasad, learned Counsel for the petitioner would fairly submit that the petitioner was subsequently paid arrears of pay scales by the first respondent. This Court, by order in W.P.M.P. No. 25127 of 1997 in W.P. No. 20710 of 1997 dated 01.09.1997, passed interim orders to continue the petitioner in service provided he was in service on the date of the order. Since the petitioner was terminated with effect from 01.08.1997, the interim orders of this Court was of no avail. Subsequent thereto, this Court by order in W.P.M.P. No. 3022 of 2000 dated 18.12.2000 passed an interim order directing the respondents to

pay salaries to the petitioner from 16.01.1994 to 30.06.1997 within three months.

Sri S. Siva Prasad, learned Counsel for the petitioner, would fairly state that this interim order has since been complied with and the petitioner has been paid arrears of salary by the first respondent. Learned Counsel would, however, seek a direction from this Court to direct the first respondent to consider his case for appointment as a Telugu Pandit in any vacancy which may arise in future. On a query from the Court whether any right was conferred on the petitioner, under the statutory rules, to make such a claim, learned Counsel would fairly state that the Rules prior to G.O.Ms. No. 1 dated 01.01.1994 did confer such a benefit but were, however, repealed by the rules in G.O.Ms. No. 1. Since the petitioner does not have any existing right either on the date of his disengagement on 01.08.1997 or on the date on which this order is passed, the relief sought for cannot be granted. The writ petition fails and is accordingly dismissed.

_____

Date: 27.02.2007 RAMESH RANGANATHAN, J

MRKR